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Supercell Oy

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

Epic Games, Inc. v. Google LLC et al., Case
No. 3:20-cv-05671-JD

Case No: 3:21-md-02981-JD

**DECLARATION OF MARKKU
IGNATIUS RE SUPERCCELL OY'S
REQUEST TO SEAL PORTIONS OF
TRIAL EXHIBIT 1525**

Judge: Hon. James Donato

1 I, Markku Ignatius, hereby declare as follows:

2 1. I have been employed by Supercell Oy (“Supercell”) since 2013. My current title
3 is General Counsel & Public Affairs. Among other responsibilities, I lead Supercell’s legal team.
4 In that role, I am familiar with Supercell’s business and strategies, and Supercell’s practices
5 regarding the confidentiality of its strategic business information. I have personal knowledge of
6 the matters set forth in this declaration and, if called to testify as a witness, would be competent
7 to testify as follows.

8 2. I submit this declaration in support of Supercell’s Request seeking to seal the non-
9 public, highly confidential information in portions of Trial Exhibit 1525 identified below, and
10 seeking to prevent its presentation in open court by either closing the courtroom, or by (1)
11 publishing such information to the jury, parties and court only, and not to the general public, and
12 (2) not stating the information during the course of trial. As detailed below, there are “compelling
13 reasons” to seal these highly confidential materials of Supercell.

14 3. My office is located in Helsinki, Finland. I first received a copy of Trial Exhibit
15 1525 on the morning of Tuesday, November 7, 2023 Helsinki time, by email sent by Google’s
16 counsel to a general Supercell email address. The email chain indicates that a prior copy was sent
17 to an individual at Supercell late in the day on Monday, November 6. Neither of these emails
18 copied Supercell’s legal counsel who have handled repeated subpoenas to Supercell and filed
19 numerous statements supporting motions to seal Supercell documents and information in this
20 case. Accordingly, I was not able to forward that email to Supercell counsel until the morning of
21 November 7, 2023.

22 4. It is my understanding that Supercell has filed at least two statements and
23 declarations in this matter, requesting that its highly confidential and proprietary business
24 information be kept under seal. Docket Nos. 562, 617. Supercell maintains that those materials
25 and other Supercell highly confidential materials that the parties seek to use at trial should remain
26 sealed and not disclosed to the public at trial, even if the tight trial turnaround schedule and the
27 parties’ late notifications make it impossible for Supercell to submit declarations in support of
28 sealing by the Court’s deadlines.

5. I have reviewed pages 000 to 013 of Trial Exhibit 1525, which was provided to Supercell by counsel for Google. Both the portions of the document highlighted by counsel for Google, and additional portions of the document (identified below) contain Supercell's highly confidential information, including information that reflects highly confidential/sensitive business information relating to Supercell's business relationship and contracts with Google, and assessments and reflections by Supercell on its products, business, business plans, and business trajectory, and highly sensitive financial information, that Supercell keeps confidential in the ordinary course of its business and under contract with Google. Supercell views this information as confidential and sensitive business and financial information, has not made it public (nor is it public, to Supercell's knowledge), and the disclosure of this information is likely to result in substantial competitive or commercial disadvantage to Supercell.

6. If these portions of the Trial Exhibit were to be made public, Defendants' competitors (for example, platforms operated by third parties competitive with Defendants where Supercell offers its games) could glean information about Supercell's business relationship with Defendants and use this information in negotiations with Supercell to gain a competitive advantage at Supercell's expense. Disclosure of this information would also likely harm Supercell by harming its bargaining position with third party platforms, and could give its competitors the ability to undercut Supercell and unfairly win additional business.

7. The chart below summarizes my review of Exhibit 1525:

Exhibit Number (Trial Exhibit No.)	Document Description	Portion to be sealed	Reason(s) for sealing request
Exhibit 1525 (GOOG-PLAY- 009201648)	Email chain "Re: Privileged – Supercell"	Page Exhibit 1525- 001, highlighted portion of sentence beginning "Regarding localized"	Contains competitively sensitive information regarding Supercell's relationship and negotiation of business terms with Google, and Supercell business strategy.
Exhibit 1525 (GOOG-PLAY- 009201648)	Email chain "Re: Privileged – Supercell"	Pages Exhibit 1525- 001 to 002, from highlighted bullet "Emerging markets" on 001 to "explore	Contains competitively sensitive information regarding Supercell's relationship and negotiation of business terms with

		separately” on 002, and highlighted portions in last paragraph on 002	Google, and Supercell business strategy and strategic planning.
Exhibit 1525 (GOOG-PLAY-009201648)	Email chain “Re: Privileged – Supercell”	Page Exhibit 1525-003, highlighted portions, paragraph beginning “Please see below” and bullet points from “GVP insights” to bottom of page.	Contains competitively sensitive information regarding Supercell’s relationship and negotiation of business terms with Google, and Supercell business strategy and strategic planning.
Exhibit 1525 (GOOG-PLAY-009201648)	Email chain “Re: Privileged – Supercell”	Page Exhibit 1525-004, in its entirety	Contains competitively sensitive information regarding Supercell’s relationship and negotiation of business terms with Google, and Supercell business strategy, product strategy, product assessment, and strategic planning.
Exhibit 1525 (GOOG-PLAY-009201648)	Email chain “Re: Privileged – Supercell”	Page Exhibit 1525-005, first bullet, paragraphs beginning “Supercell indicated”, “Thank you for the update,” “Qq,” and “A quick update on the Supercell call.”	Contains competitively sensitive information regarding Supercell’s relationship and negotiation of business terms with Google, and Supercell business strategy, product assessment and planning, and strategic planning.
Exhibit 1525 (GOOG-PLAY-009201648)	Email chain “Re: Privileged – Supercell”	Page Exhibit 1525-008, highlights in the paragraph beginning “I sent a quick note”, the entire paragraph beginning “As a heads up,” “Thanks for the update on Supercell’s,” and the final paragraph and bullet on the page.	Contains competitively sensitive information regarding Supercell’s relationship and negotiation of business terms with Google, and Supercell business strategy, product planning and strategic planning.
Exhibit 1525 (GOOG-PLAY-009201648)	Email chain “Re: Privileged – Supercell”	Page Exhibit 1525-009, first two bullets on the page, fourth and fifth bullets on	Contains competitively sensitive information regarding Supercell’s relationship and negotiation

		the page (beginning “opportunity” and “Play”), last two paragraphs on the page	of business terms with Google, and Supercell business strategy and strategic planning.
Exhibit 1525 (GOOG-PLAY-009201648)	Email chain “Re: Privileged – Supercell”	Page Exhibit 1525-010, first three paragraphs on the page	Contains competitively sensitive information regarding Supercell’s relationship and negotiation of business terms with Google, and Supercell business strategy, product assessment and plans, and strategic planning.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 7, 2023.

DocuSigned by:

Markku Ignatius

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Markku Ignatius

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/s/ Ciara McHale
Ciara McHale